

Minutes
Town of Oshkosh

Town Board Meeting – March 23, 2009 - 7:00 p.m. – Town Hall

PRESENT: Chairman Gerald Frey, Supervisor Jim Erdman, Treasurer Maribeth Gabert, Clerk Jeannette Merten and audience of 4.

Chairman Frey called meeting to order at 7:00 p.m.

MOTION BY ERDMAN, FREY SECONDED, TO APPROVE MINUTES DATED MARCH 9, 2009 AS PRESENTED. ROLL CALL. ERDMAN, YES; FREY, YES. MOTION CARRIED.

Public Participation:

Robert Cummings, 4750 Island View Drive, said that across from his house there is a ditch that was dug too deep where water collects and stands. The water does not move. It should drain to the south. Chairman Frey said they looked at that situation last summer, but will take a look again to see what can be done.

Deputy Rollo of the Winnebago County Sheriff Department was in attendance for the public to ask questions or comment on situations.

Steve Hill reported that he received the details on AED's package from Zoll for \$1395. Since then, Gold Cross revised their cost per unit and now is lower than Zoll's prices including everything they needs at \$1329. Hill will be applying for a grant to hopefully cover 90% of the cost.

Planning and Zoning:

Building Inspector report.

Dave Frank, Town Building Inspector, had nothing new to report.

Wis Dot zoning change request.

Applicant, State of Wisconsin Department of Transportation, was requesting a Zoning Change from B-3 to M-2 (Heavy Industrial District) in order to expand an adjacent trucking business. Parcel #018-0114; address 3050 Algoma Blvd.

The Town of Oshkosh Planning & Zoning Commission met and approved the request.

MOTON MADE BY FREY, ERDMAN SECONDED, TO APPROVE THE ZONING CHANGE TO M-2 TO THE STATE OF WISCONSIN DEPARTMENT OF TRANSPORTATION AT 3050 ALGOMA BLVD. ROLL CALL. ERDMAN, YES; FREY, YES. MOTION CARRIED.

Ernest Anthes variance request.

Applicant, Brian Malchow – Fox Cities Construction Corp, was requesting a Variance to Section 17.05(3)(b)(1) & (4), & Section 17.27(4) "Average Street & shore Yards, "zoning ordinance, to be allowed to build a new home and garage having sub-standard street and shore yards and which will be closer to the road right-of-way than what is

allowed through setback averaging. Property owners are Ernest & Cynthia Anthes at 2960-2962 Sunset Point Lane; parcels #018-0675-04 & #018-0675-05.

The Town of Oshkosh Planning & Zoning Commission met and agreed to approve the variance request with specific conditions as stated in their P&Z minutes.

The board discussed the commission's recommendation including one additional condition to the ones specified by the P&Z Commission. The condition is that there must be zero entry to the house.

MOTION MADE BY FREY, ERDMAN SECONDED, TO APPROVE THE VARIANCE FOR ERNEST & CYNTHIA ANTHERS AT PROPERTY ON SUNSET POINT LANE (PARCELS #018-0675-04 & #018-0675-05) WITH THE FOLLOWING CONDITIONS.

1. The two lots must be combined to create one lot.
2. Approval of a 60.5 ft. shorefront setback for the house/garage.
3. Approval of a 50 ft. shorefront setback for an unattached, at grade, floating patio.
4. Approval of substandard street setback of 52.5 ft from the easterly edge of the improved portion of ROW.
5. Approval of 752.20 ft. maximum height elevation for the roadside finished floor of attached garage.
6. Owner will take all the drainage from the property with swal or tile toward the east to the lake.
7. A maintained a minimum of 10 ft. side yard setbacks.
8. There must be zero entry to the house.

Reason for approval would be due to the combining of the lots, there is already an existing house on one property that gets flooded, and they would have to meet all the conditions set by approval of the this board.

ROLL CALL. FREY, YES; ERDMAN, YES. MOTION CARRIED.

Unfinished Business:

Correspondence regarding address/street name change between David Petak and Diane Culver.

Erdman reported that after conversations with the Walters that they would not object to the road being named **Walter Road**, which will be from the Snell overpass south, once the overpass is built. Chairman Frey had no objection. Erdman will inform Dave Petak and Diane Culver of the road name recommendation.

New Business:

Approve VFD application of Scott Walter.

MOTION MADE BY ERDMAN, FREY SECOND, TO APPROVE THE VFD APPLICATION OF SCOTT WALTER. ROLL CALL. ERDMAN, YES; FREY, YES. MOTION CARRIED.

Forthcoming Events of public interest:

Upcoming meetings and events stated were Capital Day this Wednesday. Clerk Merten will cut a check for Jerry and Jim to bring along for registration. March 28th is a WTA

district meeting, April 1st Erdman will attend an UW-Extension class on laws, and on April 9th there is a re-write county zoning meeting at Coughlin Center.

Correspondence:

1. Winnebago Co; RCM Enterprises rezoning request adopted; Alan Fisher rezoning request denied.
2. Time Warner Cable; update on cable channel changes.
3. Winnebago Co Zoning; Report from Feb 24, 2009 meeting.
4. Tn/Clayton firehouse construction-Court of Appeals.
5. Walt Raith/3M sign grant.
6. Village of Mukwonago; Stimulus Fund: How local governments can get their fair share conference.
7. City of Oshkosh; Comprehensive Plan amendment.
8. Steve Herman, Winnebago Co Sheriff, Flood Safety/Awareness.
9. WI Towns Assoc; membership dues.

Correspondence given to board at the meeting:

1. AT&T; disclosure of trade secret.
2. Winnebago Towns Assoc Unit Mtg; April 23rd at Tn of Poygan and past minutes.
3. George Farmer; letter to Michels Materials regarding dry well.

**MOTION TO PAY BILLS AS PRESENTED BY ERDMAN, FREY SECONDED.
ROLL CALL. FREY, YES; ERDMAN, YES. MOTION CARRIED.**

**MOTION MADE BY ERDMAN, SECONDED BY FREY, TO ADJOURN. ROLL
CALL. FREY, YES; ERDMAN, YES. MOTION CARRIED.**

Meeting adjourned at 8:45 p.m.

X

Jeannette Merten
Town of Oshkosh Clerk